

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

BLUE SPIKE, LLC	)	
	)	
Plaintiff,	)	Case No. 6:12-CV-00572 LED
	)	
vs.	)	
	)	
TECHNICOLOR USA, INC. and	)	<b>JURY TRIAL DEMANDED</b>
TECHNICOLOR SA,	)	
	)	
Defendants.	)	

**DECLARATION OF ADRIEN CADIEUX IN SUPPORT OF TECHNICOLOR SA'S  
MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION, IMPROPER  
VENUE, AND INSUFFICIENT SERVICE OF PROCESS**

I, Adrien Cadieux, hereby declare as follows:

1. I am over the age of 18 years and I am the General Secretary of Technicolor SA, one of the named defendants in the above-captioned matter. I make this declaration in support of Technicolor SA's Motion to Dismiss for Lack of Personal Jurisdiction, Improper Venue, and Insufficient Service of Process. I have personal knowledge of all facts stated herein and all such facts are true and correct.

2. Technicolor SA is incorporated under the laws of France with its principal place of business at 1, rue Jeanne d'Arc, 93443 Issy-les-Moulineaux Cedex in Paris, France.

3. Technicolor USA, Inc. is a Delaware corporation and is a wholly owned subsidiary of Technicolor SA with its principal place of business in Indianapolis, Indiana. Technicolor USA, Inc. also has locations in the United States in Hollywood, California and Princeton, New Jersey.

4. As a wholly owned subsidiary, Technicolor USA, Inc.: (1) maintains its own finances; (2) maintains its own Board of Directors; (3) has its own management; (4) has its own employees; (5) controls its own day-to-day activities; and (6) is responsible for sales and marketing for products in the United States.

5. Technicolor SA has no involvement in the finances, day-to-day activities, management, sales, marketing, or any other corporate responsibilities of Technicolor USA, Inc.

6. Technicolor SA does not solicit or conduct business in Texas. Specifically, Technicolor SA does not have any offices or business operations, own any property, or maintain any bank accounts in Texas. Technicolor SA does not sell any products in Texas, does not offer any services in Texas, and has no retailer(s), distributor(s), agent(s), or contractor(s) in Texas. Technicolor SA does not attend trade shows in Texas or send representatives to Texas. Technicolor SA is not licensed to do business in Texas and does not pay any taxes in Texas.

7. Given Technicolor SA's absence from any Texas markets, Technicolor SA has not derived any revenue from sales in Texas.

8. On November 5, 2012, Technicolor SA received at its offices in Paris, France a copy of a summons and Complaint bearing the same caption as this case. Technicolor SA received these documents from the Texas Secretary of State. A copy of the summons and complaint is attached hereto as Exhibit A.

9. As of the date of this declaration, Technicolor SA has not received any communication through the Central Authority in France related to this case.

10. Contrary to the allegations in the Complaint attached hereto as Exhibit A, Technicolor SA does not make, use, sell, offer to sell, or import any of the "Accused Products," which Blue Spike defined in paragraph 28 of its Complaint as: "Video Fingerprinting software,

systems, applications, and technology.” Technicolor SA has never made, used, sold, offered to sell, or imported any software, system, application, or technology involving fingerprinting technology, neither in Texas nor anywhere else in the United States.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: November 26, 2012

A handwritten signature in black ink, appearing to read "Adrien", written over a horizontal line.

By: Adrien Cadieux

Title: General Secretary, Technicolor SA